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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re patent application of:
Van Hoeck et al.

Application Serial No. 10/775,546

Filed February 10, 2004

INTERVERTEBRAL SPACERS

) Before the Examiner:
) David J. Isabella
)

) Group Art Unit 3738
)

) Ref. No. MSDI-435/PC263.32
)

) January 30, 2006

RESPONSE TO FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the final Office Action mailed November 30, 2005, please enter and consider the following amendments and remarks. Additionally, please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

January 30, 2006

Date of Deposit

Brad A. Schepers

Name of Registered Representative

Signature

January 30, 2006

Date of Signature

INTRODUCTORY COMMENTS

Claims 1-58 were pending in the subject application for the final Office Action mailed on November 30, 2005. Claims 21-57 have been withdrawn from consideration as being drawn to a non-elected species of the invention. Claims 1-20 and 58 have been rejected on various grounds. Claims 49-57 have been cancelled without prejudice for possible submission in a continuing application. In view of the following amendments and remarks, reconsideration and allowance of the subject application are hereby requested.